

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FEDERAL TRADE COMMISSION,)
)
 Plaintiff,)
 v.)
)) Civ. No. 04-11136-GAO
 DIRECT MARKETING CONCEPTS, INC., et al.,)
)
 Defendants.)
)

**DECLARATION OF EDWARD GLENNON
PURSUANT TO 28 U.S.C. § 1746**

1. My name is Edward Glennon. I am a citizen of the United States and over twenty-one years of age. I am employed by the Federal Trade Commission (“FTC”) as a staff attorney in the Division of Advertising Practices of the Bureau of Consumer Protection. My business address is 600 Pennsylvania Ave., N.W., Room NJ-3212, Washington, D.C., 20580.

2. I am assigned to the Commission’s litigation, *FTC v. Direct Marketing Concepts, Inc., et al.* I have personal knowledge of the facts stated herein. If called to testify, I could and would competently testify to the facts set forth below.

3. The Commission filed a Motion for Summary Judgment in the above litigation on December 15, 2005 (Docket Number 130). Along with its motion, the Commission filed, *inter alia*, its Statement of Material Facts Not in Dispute (Docket Number 131), along with thirty-one (31) exhibits thereto.

4. The Commission recently discovered that, due to a copying error, Attachment 6 to its Summary Judgment Exhibit 15 was incomplete. The Commission filed only every other page

of Attachment 6 (the transcript of Allen Stern's March 25, 2002 deposition), rather than the complete transcript.

5. To correct this clerical error, the Commission hereby submits with this Declaration a complete, true and correct copy of Attachment 6 to its Summary Judgment Exhibit 15.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the statements made in this Declaration are true and correct.

Executed on March 2, 2006

/s/ Edward Glennon
Edward Glennon

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on March 2, 2006. A paper copy of the attachment to this declaration, manually filed with the Court and available in paper form only, will be sent to all parties on March 2, 2006.

/s/ Edward Glennon
Edward Glennon